

**SUPREME COURT MINUTES
THURSDAY, AUGUST 21, 1997
SAN FRANCISCO, CALIFORNIA**

S004777 People, Plaintiff and Respondent

v.

Darren Charles Williams, Defendant and Appellant

The convictions on the four counts of first degree murder are affirmed. The multiple-murder special circumstance finding and the judgment of death are reversed.

Kennard, J.

We Concur:

George, C.J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

Concurring Opinion by Mosk, J.

S009924 People, Plaintiff and Respondent

v.

Drax Quartermain, Defendant and Appellant

The judgment, including the sentence of death, is reversed.

Kennard, J.

We Concur:

George, C.J.

Mosk, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S056082 People, Plaintiff and Respondent

v.

Ellena Starr Nesler, Defendant and Appellant

The judgment of the Court of Appeal is reversed insofar as it affirms the verdict rendered at the sanity phase of the proceedings, and the case is remanded to the Court of Appeal with directions to remand the matter to the superior court for a new trial limited to the issue of defendant's sanity at the time she committed the offense.

George, C.J.

We Concur:

Kennard, J.

Werdegar, J.

Concurring Opinion by Mosk, J.

Dissenting Opinion by Baxter, J.

We Concur:

Chin, J.

Brown, J.

S055819 In re the Marriage of Mary K. and James M. Oddino

Mary K. Oddino, Appellant

v.

James M. Oddino, Respondent

The order filed August 19, 1997, denying the application for relief from default and request to file the late petition for rehearing, is hereby VACATED, and the application is hereby GRANTED.

S020161 People, Respondent

v.

Tauno Waidla, Defendant and Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including October 24, 1997.

S026700 People, Respondent

v.

Andrew Lamont Brown, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 20, 1997, to request correction of the record on appeal. Counsel is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S029301 People, Respondent

v.

James David Tulk, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including October 24, 1997, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S057272 People, Petitioner

v.

San Francisco County Superior Court, Respondent

Althor Cain et al., Real Parties in Interest

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file real parties in interest is extended to and including September 18, 1997.

S058629 Ruth Shulman et al., Appellants

v.

Group W Productions, Inc. et al., Respondents

On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' answer brief on the merits is extended to and including September 2, 1997. No further extensions of time are contemplated.

S058639 People, Respondent

v.

Speedee Oil Change Systems, Inc., Appellant
And Companion Case

The application of Rogers, Joseph, O'Donnell & Quinn, Pamela Phillips and Sean M. SeLegue for permission to file an amicus curiae brief in support of respondents is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S005707 People, Respondent

v.

Bill Bradford, Appellant

Good cause not appearing, the application of David Nickerson for permission to withdraw as attorney of record, filed August 5, 1997, is denied. The application of Jack Leavitt to be appointed counsel or otherwise be substituted as counsel for defendant Bill Bradford is denied. (Supreme Court Policies Regarding Cases Arising From Judgments of Death, Policy 2.)

The application, dated August 2, 1997, to withdraw from consideration by court any pending matters, including the petition for rehearing (Pen. Code, section 1239, subd. (b)), and petition for writ of habeas corpus, filed by attorney of record David Nickerson, is denied.

S054624 Roger D. Moeller, Petitioner

v.

Los Angeles County Superior Court, Respondent
Sanwa Bank, Real Party in Interest

The request of real party in interest Sanwa Bank to allocate to Andrew S. Garb, counsel for amicus curiae Southern California Trust Officers Association, 15 minutes of real party in interest's 30-minute allotted time for oral argument is GRANTED.

2nd Dist. Lawrence Binkley

B096548 v.

City of Long Beach

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Two.

2nd Dist. People, Respondent
B105468 v.

Robert Lee Shoulders

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division One.

2nd Dist. Craig Reese
B107722 v.

Workers' Compensation Appeals Board et al.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Four.

2nd Dist. Robert Weinbach
B107912 v.

Time Warner Entertainment Company

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Five.

2nd Dist. People
B1117545 v.

Angel Banuelos Santos

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division One to Division Four.

2nd Dist. Bloch Medical Clinic
B113584 v.

Workers' Compensation Appeals Board et al.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Four to Division Two.

S062313 In the Matter of the Suspension of Attorneys
Pursuant to Rule 962, California Rules of Court

Having been provided proof of compliance pursuant to subdivision (1) of section 11350.6 of the Welfare and Institutions Code, the suspension of *Reuben C. Castillo #105225* pursuant to our

order filed on July 8, 1997, is hereby terminated.

This order is final forthwith.

S046683 In re **Dwight G. Hicks** on Discipline

For good cause shown, probation is revoked and it is ordered that **Dwight G. Hicks** be suspended from the practice of law for 120 days, that the suspension be stayed and that he be placed on probation for two years subject to conditions of probation, including actual suspension for 60 days, as recommended by the Hearing Department in its Order Regarding Stipulation filed March 28, 1997, as amended April 16, 1997. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

S061976 In re **Michael Torrey Wayland** on Discipline

It is hereby ordered that **Michael Torrey Wayland** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S061976 In re **Lewis E. Notrica** on Discipline

It is ordered that **Lewis E. Notrica** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed May 6, 1997, as modified by its order filed May 21, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

S062099 In re **Michael Eric Wooten** on Discipline

It is ordered that **Michael Eric Wooten** be suspended from the practice of law for 24 months, that execution of suspension be stayed, and that he be placed on probation for 18 months on condition that he be actually suspended for 24 months and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on September 18, 1994. He is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed April 2, 1997, as amended by its orders filed April 22, and May 6, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6140.7 (as amended effective January 1, 1997).

S063627 In the Matter of the Resignation of **Ellen Oliver Collins**
A Member of the State Bar of California

The voluntary resignation of **Ellen Oliver Collins** as a member of the State Bar of California is accepted.

S063629 In the Matter of the Resignation of **Richard C. Ratcliff**
A Member of the State Bar of California

The voluntary resignation of **Richard C. Ratcliff** as a member of the State Bar of California is accepted.

S063631 In the Matter of the Resignation of **Karen Lynn Rae**
A Member of the State Bar of California

The voluntary resignation of **Karen Lynn Rae** as a member of the State Bar of California is accepted.

